App. F. IX-4

193 .

GZ File No. 65-36

Previous References (G.Z.)

Serial Nos. 3

Letter References.

Emi. 59-39 3-4

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. one

Part B for March January (90)

SUBJECT.

Amendment to State pensioners Fund Rules

WD 0418—GPB—22,500—29-8-36

WOR

Extract from G.F. File No.65-36-1 dated re.the Provident Fund Withdrawal application of Mr. K. Thimmappaiya, Rev. Inspector, Chikmagalur Hobli, as Compulsorey Subscriber of the State Provident Funds, for

--:0:--

x x x x x

Under rule 9 (i), the sum at the credit of an officer in permanent employ, will, when he quits the service, be - handed over to him unconditionally. The official in question is now on three months' leave prior to retirement. He retires on 15th Oct. 1936 and under the rules in force in Mysore he cannot get back his money until he actually retires.

He is a compulsory subscriber also.

In British India, a subscriber who has proceeded on leave preparatory to retirement is allowed, on application, to get the amount at his credit. (Vide Rule 30 on page 547 of Part I of the Fort St. George Gazette dated the 5th May 1936.

There is no such rule in force in Mysore.

As the official states that he wants the amount to settle his affairs and the Revenue Commissioner recommends the payment, orders sanctioning the withdrawal should be as a special case.

Orders also are solicited if the rule in force in British India in this respect may be introduced here also.

Intd/-. K.V.
Asst. Secretary,
Finance Deptt.
9-9-36

Financial Secretary)

Orders issued separately

Withdrawal may be sanctioned as a special case in this case. There are, I believe, precedents e.g., Mr. K.R. Seshachar, Chief Engineer. Regarding the question of inserting a new rule, the Comptroller may be consulted in the

1480 2

General & Revenue Secretariat. G.7 — File No. 65 of 1936. [App. F. III–2

Serial No.

first instance. If I remember aright, this was considered in the past.

Intd/-. S.S.
Financial Secretary,
9-9-36

The file relating to the case of Mr. K.R. Seshachar has been destroyed (Vide flag A). Even the K.R.S. Secd: has not got a copy of C.C.:
Submd: for orders.
Copy of C.C. is not available in the Comptroller's office.
28/10/36
27

Flag D

Forwarded with compliments to the Comptroller for favour of remarks.

28-10-36

For H: Secy

No. 508/Spl dated 11-12-36

U.O.No. S.P.F. 181 dated 5th December 1936.

Returned with compliments.

As the State Provident Rules stand at present, an officer in permanent employ is entitled to the refund of the amount standing to his credit only when he quits service (Vide Rule 9(1) of the Rules) but not received prior to the date of actual retirement In one or two cases, as for instance in the cases of Mr. A. Seshachar, Retired Chief Engineer and

NOTE—Contn. Sheet.

1480/R

File No. of 193 . | General and Revenue Secretariat

K.Thimmappiah, Retired Revenue Inspector, where the officers went on leave prior to retirement Government sanctioned the refund of the amounts at their credit, as a special case.

The rule in force in British India regarding refunds to officers when they proceed on leave preparatory to retirement is as under -

> "When a subscriber has proceeded on leave preparatory to retirement or while on leave has been permitted to retire or been declared by a competent medical authority to be unfit for further service, the amount standing to his credit in the Fund shall upon application made by him in that behalf to the Account Officer, become payable to the subscriber."

The benefit conferred on subscribers by this rule in British India is already being enjoyed by the subscribers to the fund in Mysore, even without a specific provision in the Rules in this behalf. But a provision in the Rules would obviate the need for application to Government being made every time an officer goes on leave preparatory to retirement or is declared unfit for service etc while on leave. An insertion of a rule, on the lines of British India, was considered desirable in this office so far back as in 1929 and a reference made to Government (Vide letter No.S.P.F.16/7-12-1929 in that behalf. The Government were reminded again in this office No:SPF 238/13-1-32. A rule on the lines set out above with the substitution of "Comptroller" for "Accounts Officer" may be introduced as Rule 9(2) of the Rules, the present Rules 9(2) 9(3) etc being numbered as 9(3), 9(4) and so on.

flag K.

FINANCE DEPARTMENT
DEC
No.

Comptroller

1436/H 4

Serial No.

Subst:

The rule may be introduced here

By 6/1 also.

W 6/1

H Secy)

May be approved. This will provide for repayment of the P.F. and Balance when an officer goes on leave preparatory to retirement — as in British India

Dewan)

7/1/37

W 7/1

M

8-1-36

M

Please put up a draft amendment

W 9/1

Subst: with a draft

By M 20/1(37)

Issue W 21/1

DEWAN'S OFFICE 2 JAN 1937 No. 118

TYPING SECTION 22 JAN 1937 G.S.M.L. * REV. SECTT.

W. 76 4902-4961 dy 28.4.37

To the Comptroller, the Other Heads of Departments, the Secretaries to Govt., the Dist. Governors, Districts, the Presidents, Dist. Boards & Municipalities, the Collectors, Mysore & Chamarajanagar.

Rules on amendments to Rule 9 of S.P.F. Rules.

M Please Please send printed copy before

NOTE—Contin. Sheet.

WD 0417—GPB—30,000—8-9-36

Letter No.SPF.16 dated 7th December 1929 from the Comptroller of Mysore, Bangalore to the Secretary to the Government of Mysore, Financial Department, Bangalore.

I have the honour to state that rule 9 of the State Provident Fund Rules relating to repayment on retirement or death differs in many respects from the corresponding Government of India rules 10 to 19 and is also not quite clear. For example, clauses (2)(b) & (a) both refer to cases in which a request or declaration has not been submitted. It has not been definitely stated that (a) refers to cases in which the officer does not leave behind a widow or children, and has not also made a declaration. I therefore think that it is desirable to replace rule 9 by the corresponding Government of India rules 10 to 19 with slight revisions, where necessary.

The final withdrawal application form (No.S.P.F.6) also requires to be revised so that the information furnished in the case of those claimants who are not nominees, may be complete and self-contained. Columns (6) & (7) under 3(b) therein may be substituted as (c) If claimant is not a nominee (i) the amount at credit being in excess of Rs.1,000/-.

(1) Names of beneficiaries under the certificate, and their relationship to subscriber.

(2) Share of fund payable to each according to the certificate.

(ii) The amount at credit being Rs.1000/- or less :-

(1) Names of claimants and their relationship to the subscriber.

(2) Names of other heirs and their relationship to the deceased.

(3) Grounds on which the claim is based.

(4) Documents produced in support of the claim.

(5) Share of fund claimed by each.

(6) Whether the claim of the applicant to any other estate of the deceased subscriber has been established and accepted? If so, adduce proof of such acceptance.

A certificate to the effect that "provision for the whole of the S.P.F. amount has been made in the will of the subscriber in favour of his wife, or wife and children both, and that no other relative has been brought in to receive the benefits of the Fund"

seems also to be necessary in the form of declaration (No.4), so that there might be no contingency of a will and Declaration of a subscrib not agreeing with each other. The attesting of the signature of a subscriber to the declaration form is being done at present by any two respectable witnesses. Since it is an important document, it is very necessary that it should be got attested by a Magistrate or a Gazetted Officer or the head of the office, to guard against acting on spurious documents.

The following are some other alterations, which I would suggest on the analogy of the corresponding Government of India rules :-

Our rule 1 Note 3 thereunder precludes the subscribers of the State Railway Provident Fund from joining the General one. They have laid down that the Fund shall not be open to subscribers to any other Provident Fund, instituted by Government. Our rule may be modified accordingly.

Their Note 2 declares that section writers and piece-workers in Government Press are eligible to subscribe to the Fund. (Vide also Rule 7(f)) Our rules may be made clear on the point.

Note 1, under their rule 6, requires that in calculating and crediting the interest on the deposits of subscribers, pies shall be omitted. We may not adopt this.

Their rule 11 makes some exceptions in the case of subscribers, proceeding on leave preparatory to retirement, and those who obtain a Medical Certificate of incapacity for further service by permitting them to withdraw their deposits before they actually retire. We may adopt this.

They have got a rule (Vide No.30), which states that sums remaining unclaimed for a period exceeding six months shall be transferred to 'Deposits' at the end of each year, and be dealt with under the ordinary rules relating to 'Deposits'. It seems desirable to adopt this procedure. This makes the work of verification easier.

'Copy'

K.V. Venkatarayan
Superintendent
S.P.F Section

G. R. S. App. F VI—G 2]

SUBJECT .....

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Diary No. of letter replied to 1480 R

Section G.2

File No. 65-36

Serial No. 3

General and Revenue Secretariat

( )

the *193* .

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue 22.11.1937.

Read—

Signed by N.S. Shamanna

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette Kannada Part ?

Order ~~thereon~~.—No. R 4902-4961

Government direct that the following be introduced as Rule 9(2) of the Mysore State Provident Fund Rules. The present Rules 9(2), 9(3) &c. being renumbered as 9(3), 9(4) and so on:—

" Where a subscriber has

proceeded on leave preparatory to retirement or while on leave, has been permitted to retire or been declared by a competent medical authority to be unfit for further service, the amount standing to his credit in the Fund shall upon application made by him in that behalf to the Comptroller & Aud: Genl become payable to the subscriber".

WW 21/1/37
for Financial Secretary.

The Comptroller & Aud: Genl
The other Heads of Departments.
All Secretaries to Govt:
All Govt: Agents & Solicitors
All Residents & District Boards & Municipalities
The Compiler, Nyasa Gazette.

List of Enclosure

Copied by

Examined by

HSS MA
20/1/37.

WD 0158—GPB—15,000—13-8-34

PROCEEDINGS OF THE GOVERNMENT OF HIS EXCELLENCY THE RAJA OF MYSORE.

---:C:---

Order No. FE 4902-4961 | G.7-65-36-3

Dated, Bangalore, 29th January 1937.

Government direct that the following be introduced as Rule 9 (2) of the Mysore State Provident Fund Rules, the present Rules 9 (2), 9 (3) etc., being numbered as 9 (3), 9 (4) and so on:-

"When a subscriber has proceeded on leave preparatory to retirement or while on leave, has been permitted to retire or been declared by the competent medical authority to be unfit for further service, the amount standing to his credit in the Fund shall upon application made by him in that behalf to the Comptroller to Government become payable to the subscriber."

K Venkatarao
for Secretary to Government,
Financial Department.

To

The Comptroller to Government,
The other Heads of Departments,
The Secretaries to Government,
The Deputy Commissioners of Districts,
The Presidents of District Boards and Municipalities,
The Compiler, Mysore Gazette.

F.H.

S. O.

Government of his highness the Maharaja of Mysore.

FINANCIAL DEPARTMENT.

G. O. No. Fl. 4902-4961—G. F. 65-36-3, dated 29th January 1937.

Amendment.

Issues —— to Rule 9 of the State Provident Fund Rules in the matter of final withdrawals of the Provident Fund Deposits.

ORDER No. FL. 4902-4961—G. F. 65-36-3, DATED BANGALORE, THE 29TH JANUARY 1937.

Government direct that the following be introduced as Rule 9 (2) of the Mysore State Provident Fund Rules, the present Rules 9 (2), 9 (3), etc., being numbered as 9 (3), 9 (4) and so on:—

2. "When a subscriber has proceeded on leave preparatory to retirement or while on leave, has been permitted to retire or been declared by a competent Medical authority to be unfit for further service, the amount standing to his credit in the Fund shall upon application made by him in that behalf to the Comptroller to Government become payable to the subscriber."

S. SHAMANNA,
Secretary to Government,
Financial Department.

To—The Comptroller to Government.
The other Heads of Departments.
The Secretaries to Government.
The Deputy Commissioners of Districts.
The Presidents of District Boards and Municipalities.
The Compiler, *Mysore Gazette.*

Exd.—C. K.

WD 1415—GPB—520—2-2-37